

**598C.301 Proceeding for temporary custody order.**

1. After a deploying parent receives notice of deployment and until the deployment terminates, a court may issue a temporary order granting custodial responsibility unless prohibited by the federal Servicemembers Civil Relief Act, 50 U.S.C. app. §§521 and 522 or the Iowa national guard civil relief provisions contained in [chapter 29A, subchapter VI](#). A court shall not issue a temporary order granting custodial responsibility without notice to the deploying parent. A court shall not issue a permanent order granting custodial responsibility without the consent of the deploying parent.

2. At any time after a deploying parent receives notice of deployment, either parent may file a motion regarding custodial responsibility of a child during deployment. The motion must be filed in a pending proceeding for custodial responsibility in a court with jurisdiction under [section 598C.104](#) or, if there is no pending proceeding in a court with jurisdiction under [section 598C.104](#), in a new action for granting custodial responsibility during deployment.

[2016 Acts, ch 1084, §13](#)

Referred to in [§598C.302](#)